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SERVICE DATE – LATE RELEASE DECEMBER 19, 2005

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-281 (Sub-No. 1X)

TEXAS NORTH WESTERN RAILWAY COMPANY—ABANDONMENT EXEMPTION—IN  
MOORE, HUTCHINSON AND HANSFORD COUNTIES, TX

Decided: December 19, 2005

Texas North Western Railway Company (TXNW) filed a notice of exemption under 49 CFR 1152 Subpart F—Exempt Abandonments to abandon approximately 21.9 miles of its line of railroad known as the Capps Spur located in Moore, Hutchinson, and Hansford Counties, TX. The line extends from milepost 20.0 at Capps, TX, through milepost 29.9 at Morse Junction, TX, to the end of the track at milepost 34.0 in Morse, TX (14.0 miles), and from milepost 29.9 at Morse Junction to the end of the track at milepost 37.8 in Pringle, TX (7.9 miles). Notice of the exemption was served and published in the Federal Register on December 14, 2004 (69 FR 74567-68). In the December 14, 2004 notice, the Board stated that, if consummation has not been effected by TXNW's filing of a notice of consummation by December 14, 2005, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

On December 14, 2005, TXNW submitted a request to extend for 30 days, until January 13, 2006, the time to consummate the abandonment and to file its notice of consummation. TXNW states that salvage operations on the line are not yet completed, and that TXNW wishes to make final salvage determinations before proceeding with abandonment.

Under 49 CFR 1152.29(e)(2), a railroad may, for good cause shown, file a request for an extension of time to file a notice of consummation in abandonment proceedings. Good cause has been shown and the deadline for filing the notice of consummation will be extended to January 13, 2006.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. TXNW's request for an extension of time to exercise the abandonment authority is granted.

2. The authority to abandon must be exercised, and the notice of consummation must be filed, on or before January 13, 2006.

3. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams  
Secretary